

IN RE: PETITIONS FOR SPECIAL HEARING  
AND VARIANCE  
SE/corner of North Point Road  
and Baltimore Street  
15th Election District  
7th Councilmanic District  
(201 North Point Road)

SMO, Inc.  
*Petitioners*

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 02-399-SPHA

\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owners of the subject property, SMO, Inc. The special hearing request involves property located at 201 North Point Boulevard, located in the Dundalk area of Baltimore County. The subject property is zoned BR-IM. The petitions were prepared and filed by David Gildea and Sebastian Cross, attorneys at law.

Appearing at the hearing on behalf of the property owners were Steve Stookey, Brian Fenwick, representing SMO, Inc., and Evangeline Baulch and David Sang appearing on behalf of Frederick Ward Associates, the engineers who prepared the site plan of the property. Sebastian Cross and David Gildea, attorneys at law, appeared representing the Petitioners. There were no protestants in attendance.

The property owners have filed a special hearing request for an interpretation of Section 450.3 of the Baltimore County Zoning Regulations (B.C.Z.R.). The special hearing request is for a determination as to whether the manner in which the "area" of the Petitioners' sign package was appropriately calculated in accordance with the dictates of Section 450.3 of the B.C.Z.R. In the alternative, depending on the outcome of the special hearing request, the

ORDER RECORDED FOR FILING  
Date 6/3/02  
By R. Johnson

Petitioners have filed a variance from Section 450.4 of the B.C.Z.R., to permit 474 sq. ft. of canopy signage in lieu of the permitted 25 sq. ft.

Testimony and evidence indicated that the property, which is the subject of this zoning request, consists of 0.780 acres, more or less, zoned BR-IM. The subject property is located on the southeast corner of the intersection of Old North Point Boulevard and Baltimore Street in Dundalk. The property is the site of an existing Shell Gasoline Service Station. The particulars of the property are more specifically identified on Petitioners' Exhibit No. 1, the site plan submitted into evidence. This particular fuel service station is owned by SMO, Inc., whose headquarters are located in La Plata, Maryland. SMO not only owns this particular Shell Service Station, but also owns approximately 40 other service stations in Baltimore County. SMO has undertaken a program to renovate and redevelop their existing service station sites. This is the first of many sites in Baltimore County which is slated to be renovated. The renovation of the site proposes a new sign and canopy package for each of the existing Shell Service Stations. The old signs and old canopies are proposed to be torn down and the new canopies and signage installed as depicted on Petitioner's Exhibit Nos. 2 & 3.

At issue in this case is the interpretation of Section 450.3 of the B.C.Z.R. and its application to the manner in which the area of the new signs for this service station shall be calculated. As the testimony demonstrated, this is a Shell Gasoline Service Station. It is proposed to be identified at this location by a 12 sq. ft. sign containing the letters "Shell". This 12 sq. ft. "Shell" sign appears on two sides of the canopy façade. There are no other words or symbols appearing on the canopy itself, other than the two 12 sq. ft. signs.

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R. J. J. J.

The canopy itself will contain two colors, that being a yellow base color of the canopy façade with a small red accent stripe, approximately 6 inches in width, running along the bottom of the canopy. This red accent decorative feature is proposed to be illuminated.

Mr. Gildea, arguing on behalf of the Petitioners, asserted that the definition of area, as contained within the Baltimore County Zoning Regulations at Section 450.3, excludes the painted façade and decorative stripe, and that only the word "Shell" should be considered to be the area of this canopy sign.

After considering the testimony and evidence offered at the hearing and the language as contained in Section 450.3.a & b of the Baltimore County Zoning Regulations, I hereby find that the canopy sign proposed for this Shell Service Station shall be interpreted to consist of two separate canopy signs, each containing 12 sq. ft. of signage, that being the word "Shell" and shall not include the yellow painted canopy façade or the red decorative stripe, both of which are not part of the message of this sign. It should be noted that this sign package, as proposed for this site, is entirely appropriate for this and other Shell Service Stations. The ruling herein shall apply to this property location and any other Shell Service Station, whereupon this exact same sign and canopy package is proposed to be installed. Given that the redevelopment of this service station and the sign and canopy package is appropriately designed, it shall not be necessary for this Petitioner to have to request this special hearing and variance relief for each and every gasoline service station that they intend to renovate.

Inasmuch as I have interpreted Section 450.3 of the Baltimore County Zoning Regulations to require that only the word "Shell" be calculated as the area of the sign for this application, then the variance request also filed herein shall be dismissed as being

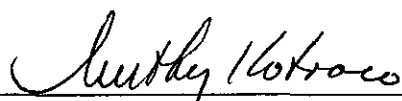
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unnecessary. It should be noted that the Petitioners are permitted to have six separate canopy signs, each of which could contain a square footage of up to 25 sq. ft. The Petitioners propose only two separate canopy signs containing square footage of 12 sq. ft. each. The sign package proposed is substantially less than what is permissible for this property. Inasmuch as the special hearing has been approved, the variances shall be dismissed.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 3<sup>rd</sup> day of June, 2002, that the Petitioners' Special Hearing request for a determination that the yellow canopy background color and the red decorative stripe do not contribute to the signs message and, therefore, should not be included in the area of this sign in accordance with Section 450.3 of the B.C.Z.R., be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the variances requested by the Petitioners, be and they are hereby DISMISSED.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

  
TIMOTHY M. KOTROCO  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

TMK:raj

COPIES RECEIVED FOR FILING  
Date 6/3/02  
By R. Johnson



Baltimore County  
Zoning Commissioner

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410-887-4386  
Fax: 410-887-3468

June 3, 2002

Sebastian A. Cross, Esquire  
David K. Gildea, Esquire  
301 N. Charles Street, Suite 800\  
Baltimore, Maryland 21201

Re: Petitions for Special Hearing & Variance  
Case No. 02-399-SPH  
Property: 201 North Point Boulevard

Dear Messrs. Cross & Gildea:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco  
Deputy Zoning Commissioner

TMK:raj  
Enclosure

c: Steve Stookey Mgr  
Brian Fenwick  
c/o SMO Inc.  
P O Box 2810  
La Plata MD 20646

Evangeline B. Baulch  
David Sang  
Frederick Ward Associates  
7125 Riverwood Dr Ste C  
Columbia MD 21046

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PETITION OF SMO, INC. FOR SPECIAL \* BEFORE THE  
HEARING AND VARIANCE \* ZONING COMMISSIONER  
201 North Point Boulevard \* FOR  
\* BALTIMORE COUNTY  
\* Case No.: 02-399-SPHA

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**MEMORANDUM IN SUPPORT OF SPECIAL HEARING AND VARIANCE  
REQUESTS**

The following memoranda comes in support of Southern Maryland Oil, Incorporated ("SMO") Petition for Special Hearing and Variance requests currently scheduled to be heard in the above referenced case by the Zoning Commissioner for Baltimore County on Thursday, May 23, 2002. This Special Hearing request was filed in order that the zoning commissioner could determine canopy background colors, raised-illuminated light bars, and vinyl-striped decals are not signs in and of themselves and furthermore do not contribute to any sign's message or theme. These findings would disallow these colored bands to be included in the area calculations for signs. In the alternative, this Memorandum also supports SMO's Variance request to permit 26.5 square feet of canopy signage in lieu of the allowed 25 square feet per canopy sign.

**I. INTRODUCTION**

SMO is currently the owner of a fuel service station located at 201 North Point Boulevard. This fuel service station currently has two pump islands containing a total of 6 MPDs. In an attempt to enhance the station's appearance and revitalize the station's property, SMO desires to modify its current signage contained upon the canopy over the fuel service islands. The canopy itself will not be affected; however, there will be new

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signage placed upon the canopy consisting of two 12 square foot lettered signs containing the word “Shell”, an approximate six inch light band running along three of the canopy’s four faces, and an approximate six inch vinyl striped decal running along the fourth canopy’s face. As provided by Section 450.4 of the Baltimore County Zoning Regulations (“BCZR”), service station canopies are allowed six canopy signs of 25 square feet each.

SMO submits the current signage package satisfies the requirements outlined in Section 450.4 of the BCZR in that the two signs containing the “Shell” lettering are both under 25 square feet each. However, in an attempt to clarify Zoning’s interpretation of how to define canopy signage, SMO met with Carl Richards, of Permits and Development Management for Baltimore County (“PDM”), in order to verify the proposed signage package satisfied the requirements of the BCZR. During this meeting it was related to SMO that PDM had interpreted the signage regulations in such a way that the submitted signage package created one 474 square foot sign encompassing the entire area of all four faces of the canopy. This interpretation was defended due to fact the supporting structure of the canopy itself is yellow in color and the lettering, raised lighted bar and vinyl decal were red. PDM stated that since yellow and red were deemed to be “corporate colors,” the entire surface of the canopy was to be treated as one sign. This alters SMO’s submitted signage package from two 12 square foot canopy signs into one 474 square foot canopy sign.

Due to this interpretation from PDM, SMO then drafted and submitted the current Petitions for zoning relief in the above referenced case. Although SMO has applied for zoning relief and filed this Memorandum in Support of its Petitions, SMO submits this

interpretation of the signage regulations by PDM is incorrect in their view that raised colored light bars and decals should be included in the total area of signage calculations. In the alternative, SMO submits that these colored bars and decals, if required to be calculated into the area of submitted signage, should each be calculated individually as each bar and/or decal is physically and visually separated from each other.

In support of this position, SMO states the following as its reasoning.

## **II. COMPOSITION OF RAISED LIGHT BARS AND VINYL DECAL**

The submitted canopy improvements consist of two canopy signs each containing the word “Shell,” as well as three raised, illuminated light bars of red color and one red vinyl, striped decal attached to the canopy’s face. These light bars and decal are made up of a solid color and create one uniform red band running along each of the canopy’s faces. These bars and decals contain no writing, lettering, figures, symbols, characters, or distinctive meaning to which an individual could attach any unique significance.

These bars and decals exist solely as decorative colors to break up and enhance the canopy’s appearance and contain no advertisement, logo, or idea related to the operation of a fuel service station or the Shell corporation itself. As such, these bars and decals exist as an aesthetic choice made by the Shell Corporation in order to enhance an otherwise monotone canopy façade. These individual colored stripes in no way communicate any messages to the general public and, rather, exist as mere decorative architectural feature comprising the canopy’s structure itself.

## **III. GOVERNING REGULATIONS**

Title III of the Baltimore County Code and Section 450 of the BCZR contain regulations regarding signage for advertising signs in Baltimore County. The Zoning

Commissioner is empowered to rule on the interpretation of certain Zoning Regulations under Sections 500.6 and 500.7 of the BCZR. This same power to interpret statutes is granted to similar bodies of the judicial branch including the Maryland State courts. However, this type of interpretational review is limited in scope and has been discussed at great length in the Maryland courts.

**A. Court's Discretion to Review an Interpretation of a Statute is Limited.**

There are times when courts or other quasi-judicial bodies are called upon in order to define the true intention of a statute. Usually these cases arise when two parties have differing opinions over what effect and meaning should be applied to certain language within the statute. In these limited circumstances where a clear definition is not attainable, the courts have formulated a process by which a holding can be handed down as to what exactly a statute means. When the court goes through this process it is labeled "statutory interpretation."

"Statutory interpretation" was discussed at great length in the recent Court of Appeals case, Ridge Heating, Air Conditioning & Plumbing, Inc. v. Brennen, 366 Md. 336, 783 A.2d 691 (2000). The Ridge Heating Court stated the scope of a judicial review of a statutory interpretation when it stated:

"The cardinal rule of statutory interpretation is to ascertain and give effect to the intent of a legislature. See Mayor & City Council of Baltimore v. Chase, 360 Md. 121, 128, 756 A.2d 987, 991 (2000); see also Oakes v. Connors, 339 Md. 24, 35, 660 A.2d 423, 429 (1995); Montgomery County v. Buckman, 333 Md. 516, 523, 636 A.2d 448, 451, (1994); Condon v. State, 332 Md. 481, 491, 632 A.2d 753, 755 (1993). The primary source for determining legislative intention is the language of the statute. See Marriott Employees Fed. Credit Union v. Motor Vehicle Admin., 346 Md. 437, 444-45, 697 A.2d 455, 458 (1997). To this end, we begin our inquiry with the words of the statute and, ordinarily, when the words of the statute are clear and unambiguous, according to their commonly understood meaning, that is where our inquiry concludes. See Oakes, supra, 339 Md. at 35, 660 A.2d at 429; Tidewater v. Mayor of Havre de Grace, 337 Md. 338, 344, 653

A.2d 468, 472 (1995); Buckman, supra, 333 Md. at 523, 636 A.2d at 451; Condon, supra, 332 Md. at 491, 632 A.2d at 755; Harris v. State, 331 Md. 137, 145-46, 626 A.2d 946, 950 (1993). Thus, if the statutory language is plain and admits of no more than one meaning, our function is to enforce it according to its terms. See Board of License Comm'rs v. Toye, 354 Md. 116, 122, 729 A.2d 407, 410 (1999); Marriott Employees Fed. Credit Union, supra, 346 Md. at 444-45, 697 A.2d 455, 458.

The words of the statute are to be given their ordinary meaning. See Chase, supra, 360 Md. at 126, 756 A.2d at 990; see also Chesapeake & Potomac Telephone Company of Maryland v. Director of Finance for Mayor & City Council of Baltimore, 343 Md. 557, 578, 683 A.2d 512, 51( 1996)."

Ridge Heating, Air Conditioning & Plumbing, Inc. v. Brennen, 366 Md. 336, 349-50, 783 A.2d 691, 699 (2000).

As this extensively supported citation demonstrates, if the words of and by themselves are clear and unambiguous a reviewing judicial body can take no further action in investigating any other interpretation other than what is contained in the text itself.

This is due to the duty being imposed upon a Court to declare laws the General Assembly (or in the instance case the Baltimore County Council) has made so as to give effect of the true legislative intent behind the statute, but if the language is of clear import, this inquiry should end. Crawley v. General Motors Corp., 70 Md. App. 100, 105, 519 A.2d 1348, 1351 (Md. App. 1987)(citing State v. Berry, 287 Md. 491, 495-96, 413 A.2d 557 (1980); Bledsoe v. Bledsoe, 294 Md. 183, 189, 448 a.2d 353 (1982). The primary source from which to determine the intention of the General Assembly is from the language of the statute itself. McAlar v. McAlar, 298 Md. 320, 469 A.2d 1256 (1984). Therefore one should look to the definition of signs in both the Baltimore County Code and BCZR to determine what actually comprises a sign.

#### **B. Definition of Signs in the Baltimore County Code and the BCZR**

Baltimore County Code Section 3-1(a) defines sign as:

*“Sign includes any bill, poster, placard, handbill, flyer, painting, sign, notice, advertisement, or other similar object or matter which contains printed or written matter in words, symbols, or pictures or any combination thereof.”*

BCZR Section 450.3 defines a sign as:

*“Any structure or other object, or part thereof, which displays any word, illustration, decoration, or other symbolic representation which:*

- (a) Is used to intend or inform, advertise or otherwise attract attention or convey a message regarding an activity, condition, or commercial or non-commercial organization, person, place, or thing.*
- (b) Has a “face” that is “visible” from a “highway” as each of these terms is defined in this Section.*

These definitions vary greatly from each other with the definition of sign in BCZR Section 450 of the BCZR containing multiple characteristics which are not considered requirements for a sign under Section 3.1 of the Baltimore County Code<sup>1</sup>.

**IV. COLORED BARS, BANDS AND DECALS SHOULD NOT BE  
CALCULATED AS PART OF THE TOTAL AREA FOR ANY CANOPY  
SIGNAGE AS DEFINED IN BCZR SECTION 450.3**

As previously stated, SMO is entitled to six 25 square feet signs on its fuel service station canopy. SMO falls short of exceeding this requirement as it has presented only two signs consisting of the word “Shell,” each existing as 12 square feet each. This area calculation for canopy signage is defined in Section 450.3 as

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<sup>1</sup> It should be noted that any conflicting terms contained in the Baltimore County Code and the BCZR shall be controlled by the Baltimore County Code as provided for in Section 450.2(b)(4) of the BCZR. Using Section 3.1 of the Baltimore County Code, these lighted bars and vinyl decal do not qualify under the language of the definition section as signage and, as such, cannot be counted. This is due to the definition of printed matter, written matter, words, symbols or pictures not being characterized by the elements contained in a lighted bar and vinyl decal as demonstrated through the interpretation of Webster’s Third International Dictionary. Webster’s is the mandated source for defining all terms in the Baltimore County Code and the BCZR.

Area – The number of square feet within the perimeter of one contiguous rectangular enclosing the face of a sign. Except in the case of a wall-mounted sign, “area” includes the surface of all integral color, framing or other design feature by which the sign is differentiated from the structure supporting it or upon which it is erected. **“Area” does not include:**

- A. Any structural, supporting, or decorative features **which are not part of the message of the sign;**
- B. **Architectural features of the building** upon which the sign may be erected, provided that such features are **distinguishable from the sign by means of differences in color** or similar attributes; or
- C. Air spaces located between the freestanding signs of different classes which are erected on a common or shared supporting structure.

As demonstrated by this Section, not all features attached to a canopy shall be included in the signage area calculations. Section 450.3(A) and (B) provide certain exemptions whereby features surrounding, supporting or adding decoration to a sign exist as exemptions from the area calculation

**A. Raised Lighted Bars and Decals as Decorative Features.**

*As stated previously, these raised color bars and colored decal are decorative features of the canopy containing one uniform color which is unbroken. This red coloring contains no letters, symbols or characters intended to relate a message and, indeed, a solid color band can provide no message.*

As Section 450.3(A) demonstrates, these decorative elements are not considered part of the area if they are not a part of the message of the sign. Message is defined in Section 450.3 of the BCZR as:

“A communication, statement, or display of information or ideas through written words, letters, numerals, symbols, images, colors, illumination, or theme comprising the face of the sign. The ‘message’ may be distinguishable from the structural and supportive elements of the sign.”

This definition makes it clear that a message must communicate a statement, information or ideas, none of which colored bands can be argued to do. This list of what may comprise a message is also exhaustive as the definition says a message “must be a communication, statement **or** display of information **or** ideas” and then goes on to state in what form these ideas can be related as a message. Since this message is exhaustive, “corporate colors” or any significance gleaned from them which does not act as a communication, statement, display of information or ideas is not part of the message. Colors certainly are not a communication, statement, display of information or ideas and, therefore, cannot make up the message of a sign.

**B. In the Alternative, Raised Light Bars and Color Decals Shall be Seen as Architectural Features of the Building.**

The canopy itself is made up of a structure which will have a background color of yellow covering the entire facie of the canopy. The raised light bar and decals are distinguishable from this color but contain no significance besides this differentiation of color. The exemption listed in Section 450.3(B) omits calculating the area of these type of architectural features into any overall signage calculations. These bands and decals are attached directly to the structure of the canopy and are only distinguishable from the canopy itself by existing as red bars and decals on top of a yellow background. As such, an exemption is not only found for these raised lighted bars and decals under Section 450.3(A) due to their decorative nature and lack of message, but also these bars and decals should be exempted under Section 450.3(B) as they can be seen as architectural features **distinguishable only by difference in color.**

C. **Corporate Colors as Messages.**

PDM has stated since the background of the canopy is yellow and these bars and decals are red, this color scheme exists as “corporate colors” and, therefore, rises to the qualification of a sign. Nowhere in the BCZR are corporate colors defined or any reference made to any messages corporate colors may send to individuals. Arguing that a single color can be a comprise communication, statement, information or idea due to its juxtaposition with another color is an aberration of what the definition of a message as deemed by the BCZR itself.

Conversely, it is clear to see how the two signs containing the lettering “Shell” do communicate information through **written words and letters**. These two signs clearly spell out the proper name of the corporate entity running the station as it exists in the corporate charter and on various products and other corporate documentation. To say that the same message is presented to an individual by seeing a red colored band as by reading a corporate name directly is fanciful at best.

It is not within the authority of PDM to speculate anytime someone sees a yellow background with a red stripe placed on top of it they acknowledge SMO or the Shell Corporation. This ordainment not only fails logic but also places colors into the category of a message without requiring any of the necessary elements for signage as defined by the BCZR itself. Since these colored bands (even as “corporate color”) cannot contribute to the area calculations due to a lack of message being contained within them, the two 12 square feet signs should be granted as a matter of right in fulfillment of the signage regulations.

## **VI. ARGUMENTS IN THE ALTERNATIVE**

### **A. Bars and Decals Are Visually and Physically Separated.**

If a decision is made that color banding in fact comprises a message to the level of creating a sign, these colored bars and decals should not be calculated together as one sign but, rather, as separate, individual signs. As previously stated in the definition of area contained in Section 450.3 of the BCZR, square footage should be calculated “within the perimeter of one contiguous rectangle enclosing the face of a sign.” As described earlier and as seen on the submitted site plan, SMO’s colored bars and decals each exist separately on its own individual rectangle of the separate canopy facades. As each bar or decal exists upon an individual façade, these bars and decals cannot be said to be contiguous as any continuity is broken by the edge of the canopies face.

Furthermore, these lighted bands and decals are physically separated from joining together not only visually by the edges of the facades themselves but also physically by the two 12 square foot signs. Each red bar stops abruptly before the “Shell” lettering and ends at the edge of the façade. The red decal similarly stops at its façade’s edge. Again, this separation of each colored band should mandate treating each band individually, calculated separately for their square footage.

Calculating each band by its individual area would require SMO to seek zoning relief for only one of the raised bars (signified as canopy sign number six on the submitted site plan). If these bars and decals are classified as signs, the colored bands and bars do not exceed the allowable six per canopy. This is because the three bars, one decal and two “Shell” signs equal a total of six signs as permitted under Section 450 of

the BCZR. Not allowing this type of classification would create a situation whereby the entire structure of the canopy itself would be classified as one 474 foot sign.

This 474 square foot calculation was proposed by Zoning even though clearly under Section 450.3(b) architectural features of a building upon which a sign is erected should not be calculated into the total signage area. Allowing these lighted bars and decals to transform the entire canopy into one big sign would be outside the spirit and intent of the signage regulations as previously presented and in direct conflict with the “supporting structure” omission from signage area calculations.

**B. PDM’s Interpretation Goes Against the Spirit and Intent of the Signage Regulations.**

Section 450.4 of the BCZR states clearly that service station canopies are allowed six twenty-five square foot signs per canopy. As these Regulations specifically provide to allow six individual signs to be attached to one canopy, stating that the entire canopy structure (in the case *sub justice* 474 s.f.) should be calculated as one sign is illogical in light of these Regulations. While the two Shell signs containing individual letters would be allowed as existing well below the maximum number of allowable signs, PDM has decided that the additional colored banding around the canopy transforms this lettering and all colors into one large canopy sign.

If this entire canopy exists as one sign it seems preposterous that the Baltimore County Council would have provided for smaller signs being allowed to exist upon the canopy itself and instead would have provided for an overall square footage maximum for each fuel service station canopy. The fact that fuel service station canopies exist as their own classification within the signage regulation chart relayed in Section 450.4 only demonstrates this point more clearly. In allowing six small signs on a canopy to be

permitted, the County Council saw the structure itself as being separate from the signage placed upon it. Now PDM apparently wants to disregard this contemplated legislation in order that all canopies be classified as one large sign. This clearly is against the spirit and intent of the County Council. This is perhaps no more evident than in the fact the Department of Planning submitted no negative comments as to SMO's interpretation of the signage guidelines.

As service station canopies have now become commonplace in this industry, easily observable by the County legislatures, it cannot rationally be argued that the County Council contemplated six, separate twenty-five square foot canopies to be placed upon one fuel service station. This would provide for very small individual canopies located directly above each fuel pump. This does not serve the function that canopies provide customers nor could have been contemplated by the legislature in drafting canopy signage regulations.

The result of agreeing with PDM's interpretation would also present uncertainty for developers. This uncertainty as to what part of structures will be calculated in the square footage of a sign would be compounded by the fact that PDM seemingly would be the sole entity able to define what color arrangements combine to form an overall message of information to individuals. The undesired result would be an arbitrary system of defining and calculating signage for future development and, as such, should be avoided.

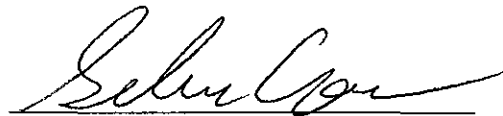
## **VII. CONCLUSION**

**WHEREFORE**, for the aforementioned reasons, Southern Maryland Oil, Incorporated submits its signage package as presented should be allowed as a matter of right as it is compliance with Title III of the Baltimore County Code and Section 450.4 of

the Baltimore County Zoning Regulations. This is due to the fact that colored bands and decals do not constitute signs under the definitions contained in either the Baltimore County Code or the Baltimore County Zoning Regulations and send no message or information to individuals outside simple aesthetics. Treating all company facie as one large sign goes against the spirit and intent of the signage regulations and creates an arbitrary system of approval in the development process with uncertainty as its only by-product.

In the alternative, these raised bars and decals should not be calculated collectively as one large sign, as they are broken up throughout the canopy both visually and physically and are attached to the overall structure of the canopy itself. As such, Southern Maryland Oil, Incorporated submits the two 12 square foot canopy signs currently submitted satisfy all signage regulations for Baltimore County and should be granted as proposed.

Respectfully submitted,



David K. Gildea  
Sebastian A. Cross  
Gildea, LLC  
301 N. Charles Street, Suite 900  
Baltimore, MD 21201  
(410)234-0071  
Attorneys for Petitioner



# Petition for Special Hearing

## to the Zoning Commissioner of Baltimore County

for the property located at 201 North Point Blvd.

which is presently zoned BR-IM

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

See attached.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

### Contract Purchaser/Lessee:

Name - Type or Print \_\_\_\_\_

Signature \_\_\_\_\_

Address \_\_\_\_\_ Telephone No. \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Attorney For Petitioner:

Sebastian A. Cross

Name - Type or Print \_\_\_\_\_

Signature \_\_\_\_\_

Gildea LLC

Company \_\_\_\_\_

301 N. Charles St., Suite 800

Address \_\_\_\_\_ Telephone No. \_\_\_\_\_

Baltimore, MD 21201 (410)234-0071

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Legal Owner(s):

SMO, Inc.

Name - Type or Print \_\_\_\_\_

Signature \_\_\_\_\_

Steve Stookey, Manager

Name - Type or Print \_\_\_\_\_

Signature \_\_\_\_\_

P.O. Box 2810 (301)932-3671

Address \_\_\_\_\_ Telephone No. \_\_\_\_\_

LaPlata, MD 20646

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Representative to be Contacted:

Sebastian A. Cross

Name \_\_\_\_\_

301 N. Charles St., Suite 800

Address \_\_\_\_\_ Telephone No. \_\_\_\_\_

Baltimore, MD 21201 (410)234-0071

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING \_\_\_\_\_

UNAVAILABLE FOR HEARING \_\_\_\_\_

Reviewed By JRA Date 2/19/02

## **ATTACHMENT TO PETITION FOR SPECIAL HEARING**

### **1. SPECIAL HEARING**

- A. For determination that canopy background colors do not contribute to any sign's message and, therefore, should not be included in the area of the sign as per section 450.3 "Area" A of the BCZR.
- B. For determination that raised illuminated light bars do not contribute to any sign's message and, therefore, should not be included in the area of the sign as per section 450.3 "Area" A of the BCZR.
- C. For determination that vinyl striped decals do not contribute to any sign's message and, therefore, should not be included in the area of the sign as per section 450.3 "Area" A of the BCZR.



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 201 North Point Blvd.

which is presently zoned BR-IM

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

See attached.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be presented at hearing.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

## Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Attorney For Petitioner:

Sebastian A. Cross

Name - Type or Print

Signature

Gildea, LLC

Company

301 N. Charles St., Suite 800

Address

Telephone No.

Baltimore, MD 21201 (410)234-0071

City

State

Zip Code

## Legal Owner(s):

SMO, Inc.

Name - Type or Print

Signature

Steve Stookey

Name - Type or Print

Signature

P.O. Box 2810

(301)932-3671

Address

Telephone No

LaPlata, MD 20646

City

State

Zip Code

## Representative to be Contacted:

Sebastian A. Cross

Name

301 N. Charles St., Suite 800

Address

Telephone No

Baltimore, MD 21201 (410)234-00071

City

State

Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING \_\_\_\_\_

UNAVAILABLE FOR HEARING \_\_\_\_\_

Reviewed By JRF

Date 3/19/02

Case No. 02 - 399 - SPA A

R21 9/15/98

## ATTACHMENT TO PETITION FOR VARIANCE

### VARIANCES

- A. BCZR Section 450.4 – to permit 26.5 s.f. of canopy signage in lieu of the required 25 s.f. per canopy sign.

***or in the alternative:***

- B. BCZR Section 450.4 – to permit 474 s.f. of canopy signage in lieu of the required 25 s.f. per canopy sign.



# FREDERICK WARD ASSOCIATES, INC.

ENGINEERS  
ARCHITECTS  
SURVEYORS

Re: SMO Realty LLC  
C/O Steve Stookey  
P.O. Box 2810  
La Plata, MD 20646.2800

## Zoning Description

Beginning at a point on the southerly right-of-way of Baltimore Street, 80 feet wide, said point being situate South 46 degrees 22 minutes West 225.6 feet from the centerline intersection of Baltimore Street with North Point Boulevard; thence running with and binding on said Baltimore Street right-of-way,

1. North 56 degrees 35 minutes 23 seconds East 108.49 feet; thence leaving said Baltimore Street right-of-way and running with and binding on the right-of-way of North Point Boulevard, 150 feet wide, as shown on State Roads Commission Plat No. 5018
2. North 83 degrees 27 minutes 53 seconds East 90.43 feet; thence
3. South 70 degrees 12 minutes 00 seconds East 176.52 feet; thence leaving said right-of-way
4. South 19 degrees 18 minutes 30 seconds West 127.00 feet; thence
5. North 70 degrees 12 minutes 00 seconds West 323.62 feet to the point of beginning.

Containing 0.780 of an acre of land more or less. As recorded in Liber 9127 at Folio 585.

MARYLAND

BEL AIR

COLUMBIA

VIRGINIA

MANASSAS

WARRENTON



03/19/02

399

**BALTIMORE COUNTY, MARYLAND**  
**OFFICE OF BUDGET & FINANCE**  
**MISCELLANEOUS RECEIPT**

No. **11284**

DATE 2-17-02 ACCOUNT 001-006 6150  
AMOUNT \$ 500.00

RECEIVED FROM: The Wills Group  
201 North Point Blvd. ITEM# 399  
FOR: 020 VARIANCE FUND SDN TAKEN BY: JRF

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**PAID RECEIPT**

| BUSINESS                          | ACTUAL    | TIME     |
|-----------------------------------|-----------|----------|
| 7/19/2002                         | 7/19/2002 | 14:00:00 |
| REF: 0506 WALKIN KNOWN ESH DRAWER |           |          |
| RECEIPT # 075065                  | 7/19/2002 | 06:14    |
| Dept 5 528 ZONING VERIFICATION    |           |          |
| CR NO. 011284                     |           |          |
| Receipt Tot                       | \$500.00  |          |
| 500.00                            | OK        | .00      |
| Baltimore County, Maryland        |           |          |

**CASHIER'S VALIDATION**

### NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case #02-399-SPHA

201 North Point Road

SE corner of North Point Road, and Baltimore Street

15th Election District - 7th Councilmanic District

Legal Owner(s): Steve Stookey

**Variance:** to permit 26.5 square feet of canopy signage in lieu of the allowed 25 square feet per canopy sign, or in the alternative: to permit 474 square feet of canopy signage in lieu of the allowed 25 square feet per canopy sign.

**Special Hearing:** to determine that canopy background colors do not contribute to any sign's message or theme and they should not be included in the area of the sign, also that raised illuminated light bars do not contribute to any sign's message or theme and therefore, should not be included in the area of the sign, also, that vinyl striped decals do not contribute to any sign's message or theme and therefore should not be included in the area of the sign.

**Hearing:** Thursday, May 23, 2002 at 10:00 a.m. in Room 706, Baltimore County Office Building, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3381.

5/130 May 9

C536986

## CERTIFICATE OF PUBLICATION

5/9/, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/9/, 2002

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

# CERTIFICATE OF POSTING

RE: Case No.: 02-399-SPHA

Petitioner/Developer: STEVE

STOOKEY

Date of Hearing/Closing: 5/23/02

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at 201 NORTH POINT

ROAD

The sign(s) were posted on

5/8/02  
(Month, Day, Year)

Sincerely,

[Signature] 5/8/02  
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

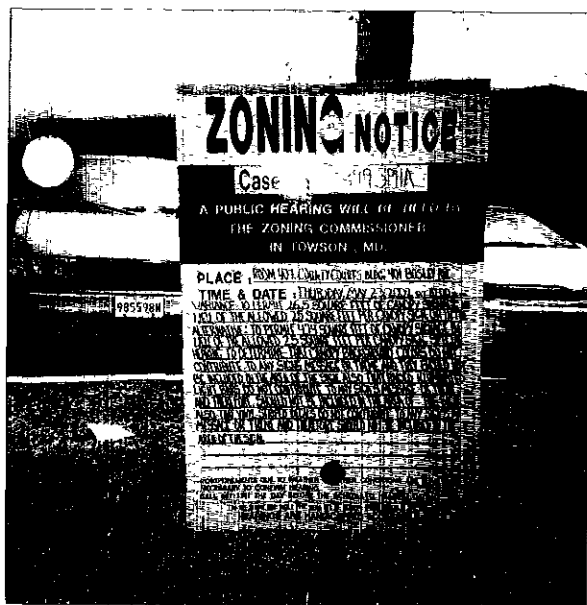
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

## ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

---

---

#### For Newspaper Advertising:

Item Number or Case Number 399  
Petitioner: SMD, Inc.  
Address or Location: 201 N. Point Blvd.

PLEASE FORWARD ADVERTISING BILL TO

Name: Ed Gidea, LLC  
Address: 301 N. Charles Street  
Suite 900  
Baltimore Md 21201  
Telephone Number: 410 234-0071

TO: PATUXENT PUBLISHING COMPANY  
Thursday, May 9, 2002 Issue – Jeffersonian

Please forward billing to:

Sebastian A Cross  
Gildea LLC  
301 N Charles Street  
Suite 800  
Baltimore MD 21201

410 234-0071

---

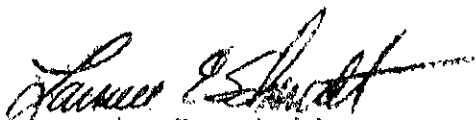
## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-399-SPHA  
201 North Point Road  
SE/corner of North Point Road, and Baltimore Street  
15<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District  
Legal Owner: Steve Stookey

Variance to permit 26.5 square feet of canopy signage in lieu of the allowed 25 square feet per canopy sign, or in the alternative: to permit 474 square feet of canopy signage in lieu of the allowed 25 square feet per canopy sign. Special Hearing to determine that canopy background colors do not contribute to any sign's message or theme and they should not be included in the area of the sign, also that raised illuminated light bars do not contribute to any sign's message or theme and therefore, should not be included in the area of the sign, also, that vinyl striped decals do not contribute to any sign's message or theme and therefore should not be included in the area of the sign.

HEARING: Thursday, May 23, 2002 at 10:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

Director's Office  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
410-887-3353  
Fax: 410-887-5708

April 10, 2002

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-399-SPHA  
201 North Point Road  
SE/corner of North Point Road, and Baltimore Street  
15<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District  
Legal Owner: Steve Stookey

Variance to permit 26.5 square feet of canopy signage in lieu of the allowed 25 square feet per canopy sign, or in the alternative: to permit 474 square feet of canopy signage in lieu of the allowed 25 square feet per canopy sign. Special Hearing to determine that canopy background colors do not contribute to any sign's message or theme and they should not be included in the area of the sign, also that raised illuminated light bars do not contribute to any sign's message or theme and therefore, should not be included in the area of the sign, also, that vinyl striped decals do not contribute to any sign's message or theme and therefore should not be included in the area of the sign.

HEARING: Thursday, May 23, 2002 at 10:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon GDL  
Director

C: Sebastian A Cross, Gildea LLC, 301 N Charles St, Ste 800, Baltimore 21209  
SMO Inc, Steve Stookey, P O Box 2810, LaPlata 20646

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MAY 8, 2002.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

May 17, 2002

Sebastian A. Cross  
Gildea, LLC  
301 N. Charles Street  
Suite 800  
Baltimore MD 21201

Dear Mr. Cross:

RE: Case Number:02-399SPH-A, 201 North Point Blvd.

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 3/19/02.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:rjc

Enclosures

c: Steve Stookey, Manager SMO, Inc. P.O. Box 2810 LaPlata, MD 20646  
People's Counsel



Baltimore County  
Fire Department

Department of Permits and  
Development Management (PDM)  
County Office Building, Room 111  
Mail Stop #1105  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4880

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 25, 2002

Item No.: See Below

Dear Mr. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

378, 381, 383, 386-389, 391-394, 396-400

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office  
PHONE 887-4881, MS-1102F

cc: File

COUNTY REVIEW GROUP MEETING{PRIVATE}

County Review Group comments

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RB Seeley*

DATE: April 30, 2002

Zoning Advisory Committee Meeting of March 25, 2002

**SUBJECT:** NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

378, 379, 380, 383, 384, 385, 386, 387, 389, 390, 392, 395, 396, 397, (399)

10/1  
5/23

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits and  
Development Management

**DATE:** April 2, 2002

**FROM:** Arnold F. 'Pat' Keller, III  
Director, Office of Planning

**APR 3 2002**

**SUBJECT:** Zoning Advisory Petition(s): Case(s) 02-394, 02-399, & 02-400

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

Section Chief:

Regina Lankau

AFK/LL:MAC



**Maryland Department of Transportation**  
**State Highway Administration**

Parris N. Glendening  
Governor

John D. Porcari  
Secretary

Parker F. Williams  
Administrator

Date: 4.1.02

Mr. George Zahner  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 393

JRF

Dear Mr. Zahner:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 151 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1- Kenneth A. McDonald Jr., Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21202-0717

RE: PETITION FOR SPECIAL HEARING  
PETITION FOR VARIANCE  
201 North Point Boulevard, SE cor North Point Blvd  
and Baltimore Street  
15th Election District, 7th Councilmanic

Legal Owner: SMO, Inc.  
Petitioner(s)

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case No. 02-399-SPHA

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**



PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



CAROLE S. DEMILIO  
Deputy People's Counsel  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 27<sup>th</sup> day of March, 2002 a copy of the foregoing Entry of Appearance was mailed to Sebastian A. Cross, Esq., Gildea, LLC, 301 N. Charles Street, Suite 800, Baltimore, MD 21201, attorney for Petitioner(s).



PETER MAX ZIMMERMAN

Case Number 02-399-SPHF

PLEASE PRINT LEGIBLY

## ██████████ SIGN-IN SHEET

[illegible]

# Introduction

## Dispensers and pump islands

### Pump islands

- accommodates all dispenser types and a variety of facilities for customers
- enable safe, efficient, clean refuelling
- make refuelling as easy as possible
- help to protect dispensers

### Main features

- layout and signing of pump islands guide customers to the correct refuelling position.
- clear, unambiguous grade identification
- valance and pump graphics color balance contributes to Shell branding
- ! - pump graphics reflects the Shell brand.

Pet Ex #3



**EVANGELINE B. BAULCH, P.E.**

9707 Saxony Road  
Silver Spring, MD 20910  
(301) 593-7647  
vangie@baulch.org

**SUMMARY OF QUALIFICATIONS:**

Ten years of engineering experience, the last five years as a licensed Professional Engineer. Types of projects include commercial sites (such as fuel service stations, convenience stores, retail stores), churches, and residential subdivisions. Technical experience includes design of infrastructure (such as stormwater management and storm drain systems, water and sewer lines, roads) and municipal street and utility improvements.

**LICENSES:** Professional Engineer, States of Maryland, Virginia, and Washington

**WORK EXPERIENCE:**

**Frederick Ward Associates, Inc.**

October 2001 to Present

7125 Riverwood Drive, Suite C

Columbia, Maryland 21046

Supervisor: Mike Razavi, P.E. (410) 290-9550

**Project Engineer**

- Prepare site development plans inclusive of site grading, storm drain, utility, stormwater management, sediment control, county/state road improvement, landscape and underground tanks in accordance with municipal/county requirements.
- Obtain from county/municipal review agencies all necessary site plan approvals and permits required to construct the development, including grading, State/County/municipal road access, building, signage, state and county air quality tank permit, county health department approvals for food handling services.
- Provide information to/coordinate with clients, government agencies, and other consultants on projects.

**M/K Engineers, Inc.**

February 2001 to September 2001

2900 Linden Lane, Suite 200

Silver Spring, MD 20910

Supervisor: Marc Mezzanotte, P.E. (301) 588-5696

**Civil Engineer**

- Designed grading, sediment control, stormwater management, and storm drain and paving plans for commercial projects and residential subdivisions in conformance with Montgomery County, Prince George's County, and State of Maryland requirements.
- Provided information to/coordinate with clients, government agencies, and other consultants on M/K projects.

*Pet Ex #4*

**Evangeline B. Baulch, P.E.**

**Page 2**

**City of Oak Harbor Engineering Department**

865 S.E. Barrington Drive

Oak Harbor, WA 98277

Supervisor: Quin Clements (360) 679-5551

November 1999 to December 2000

**Civil Engineer**

- Reviewed grading, drainage, road construction, erosion and sedimentation control, and traffic control plans prepared by private developers to determine conformance with City engineering requirements and prepared memoranda summarizing review comments.
- Provided information/direction to the public, government agencies, engineers, surveyors, and contractors regarding City engineering requirements, public utilities, and traffic issues.
- Performed civil engineering surveys of streets, utilities, and surface features to document existing condition of facilities and designed street and municipal utilities improvements.

**Island County Public Works Department**

P.O. Box 5000

Coupeville, WA 98239

Supervisor: Larry Kwarsick (360) 679-7331

April 1998 to August 1999

**Civil Engineer/Development Coordinator**

- Conducted engineering review of land development activities (commercial site plans, planned residential developments, subdivisions) and prepared detailed memoranda of review comments for permit applicants.
- Conducted field inspections of private construction projects (roads, drainage facilities, slope stabilization, etc.) to determine conformance with County regulations.
- Provide information/direction to the public, government agencies, engineers, surveyors, and contractors regarding County engineering requirements.

**OTHER WORK EXPERIENCE:**

Environmental Engineer, Ecology and Environment, Inc., Lancaster, NY and Seattle, WA, 1994-1998

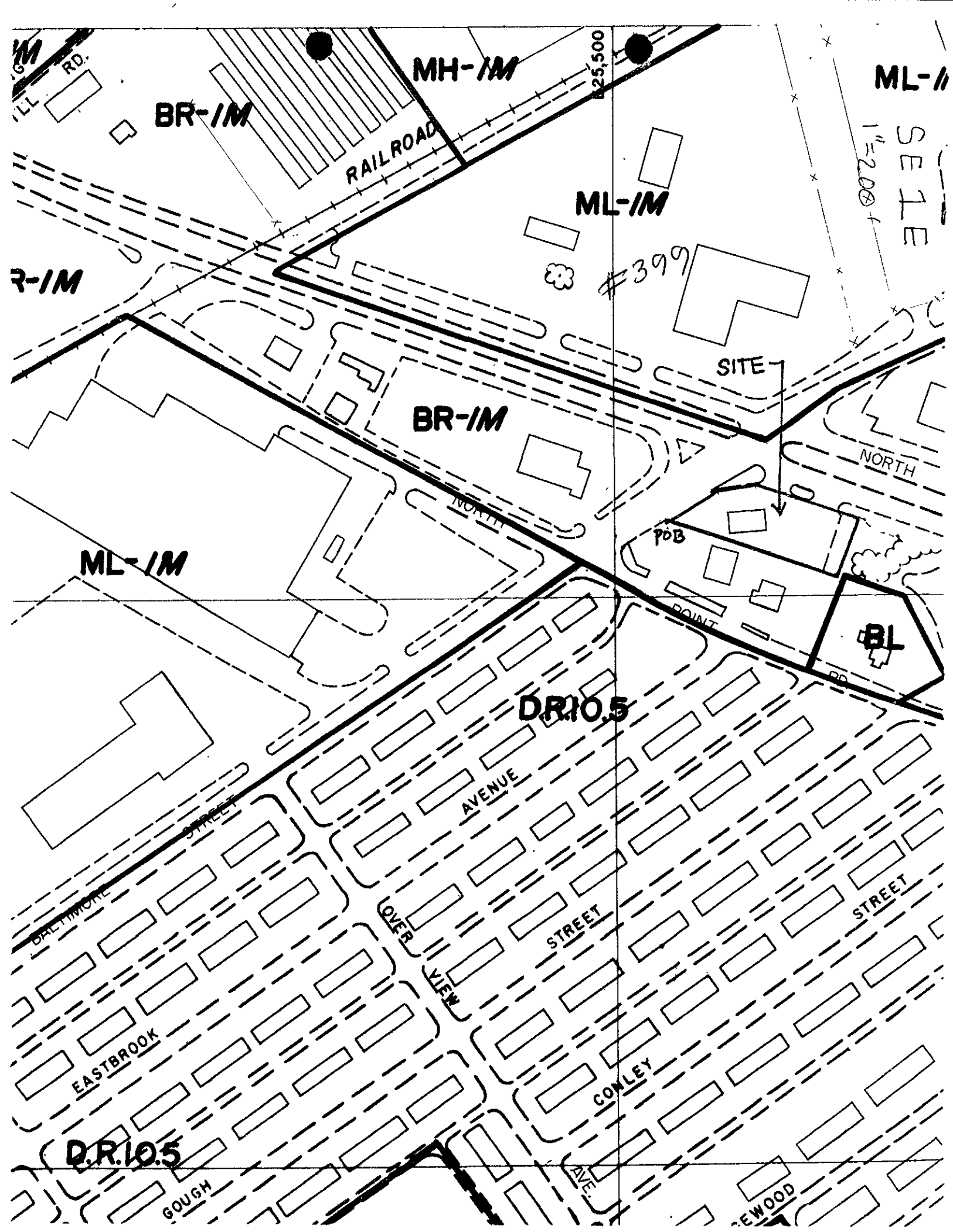
**EDUCATION:**

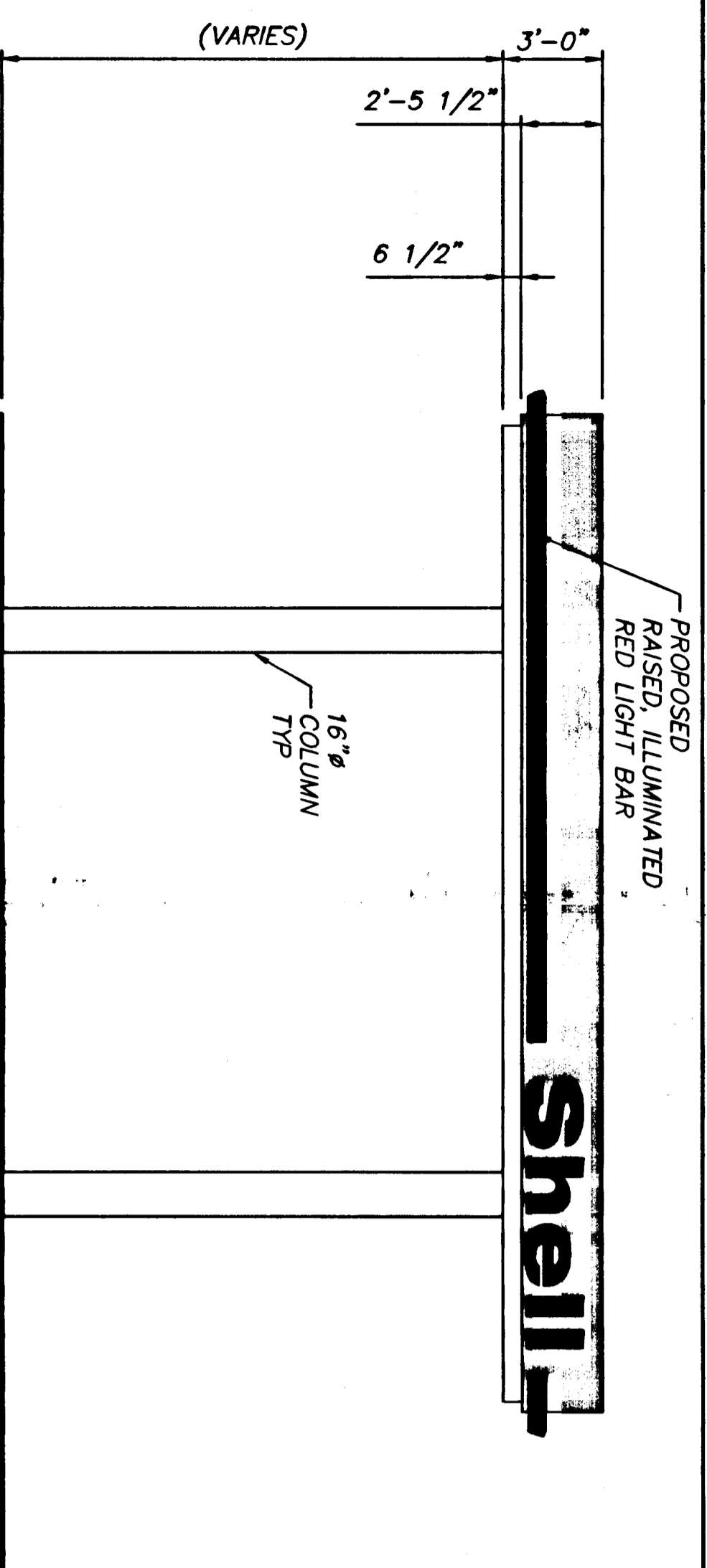
M.Eng. Agricultural and Biological Engineering, Cornell University (1994)

B.S. Agricultural and Biological Engineering, Cornell University (1990)

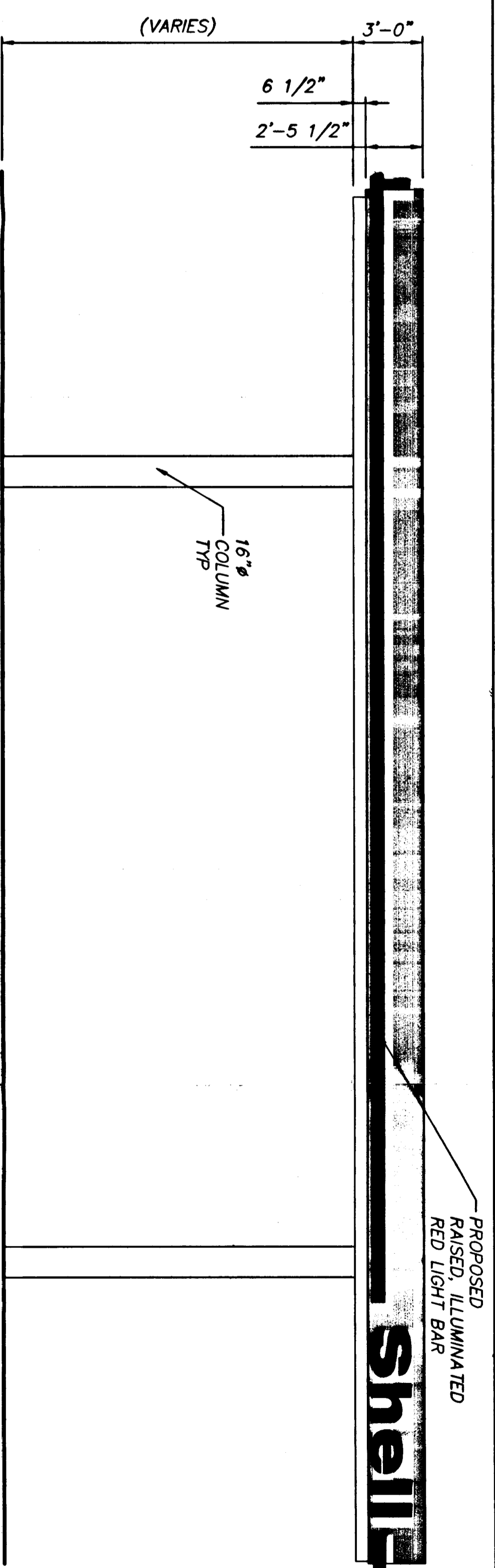
**PROFESSIONAL MEMBERSHIPS:**

American Society of Civil Engineers

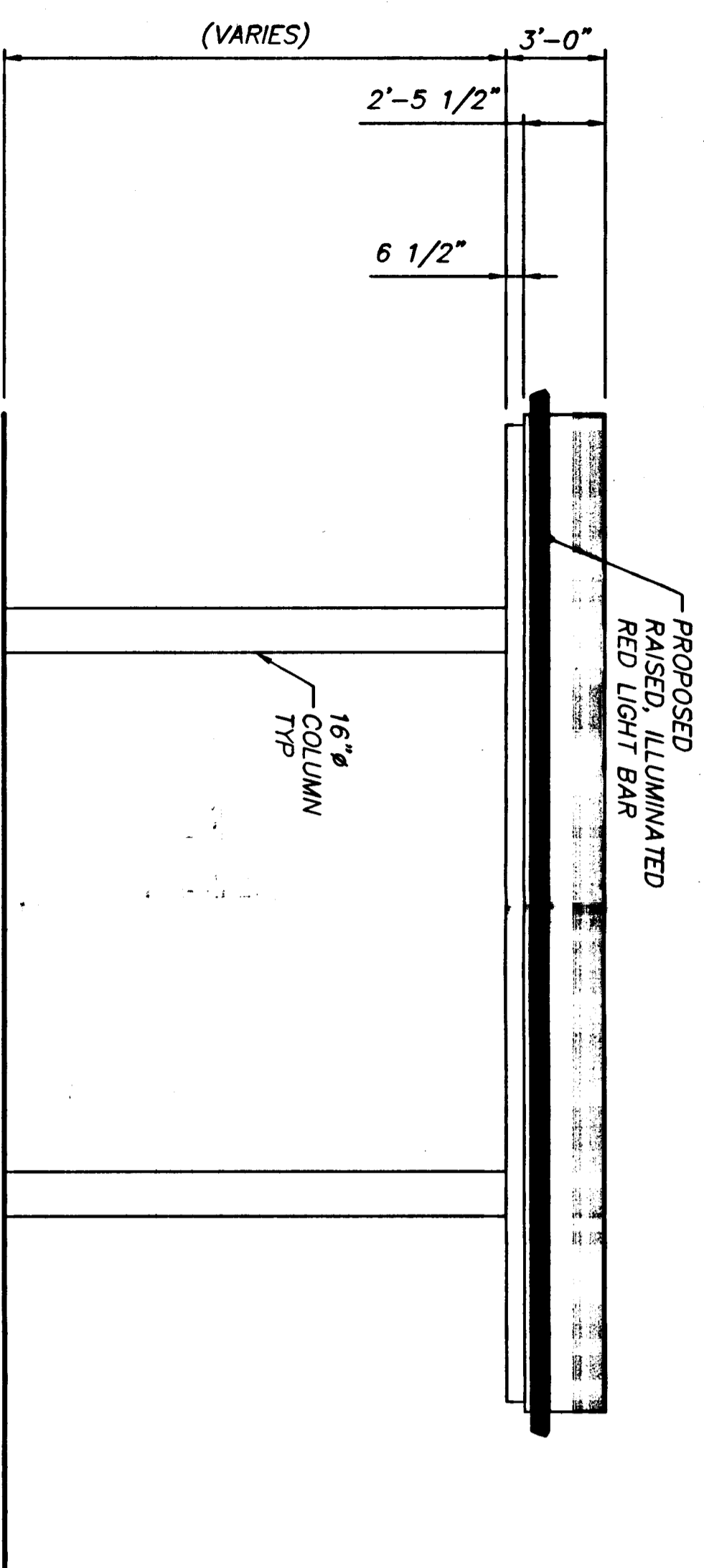




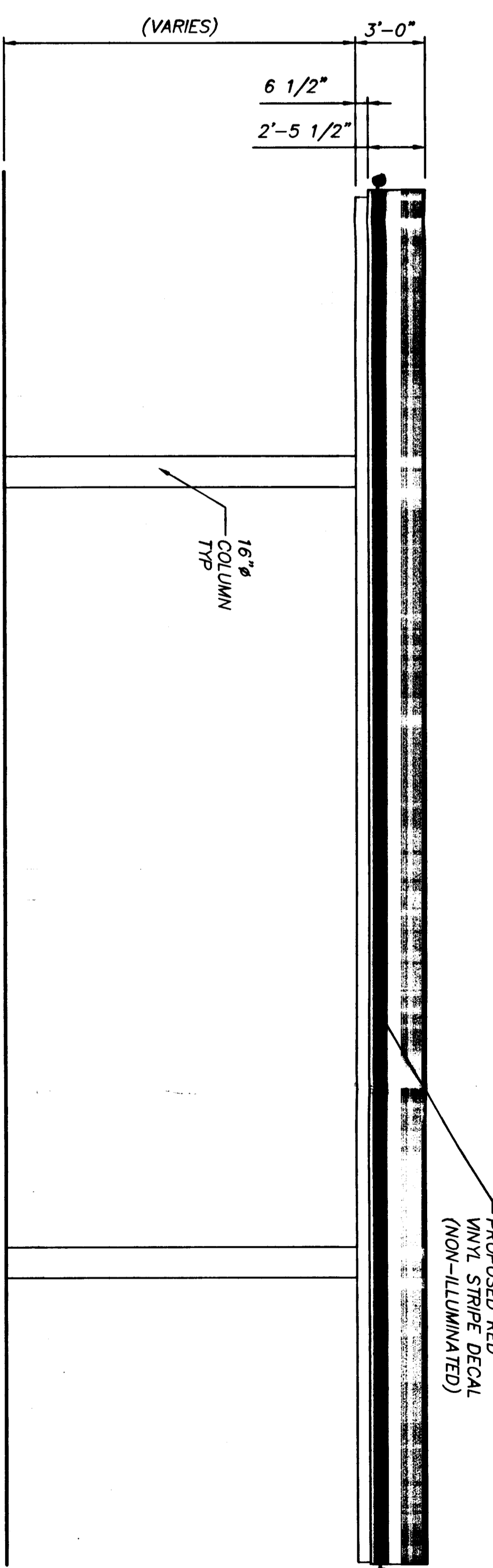
**EAST ELEVATION**  
(NOT TO SCALE)



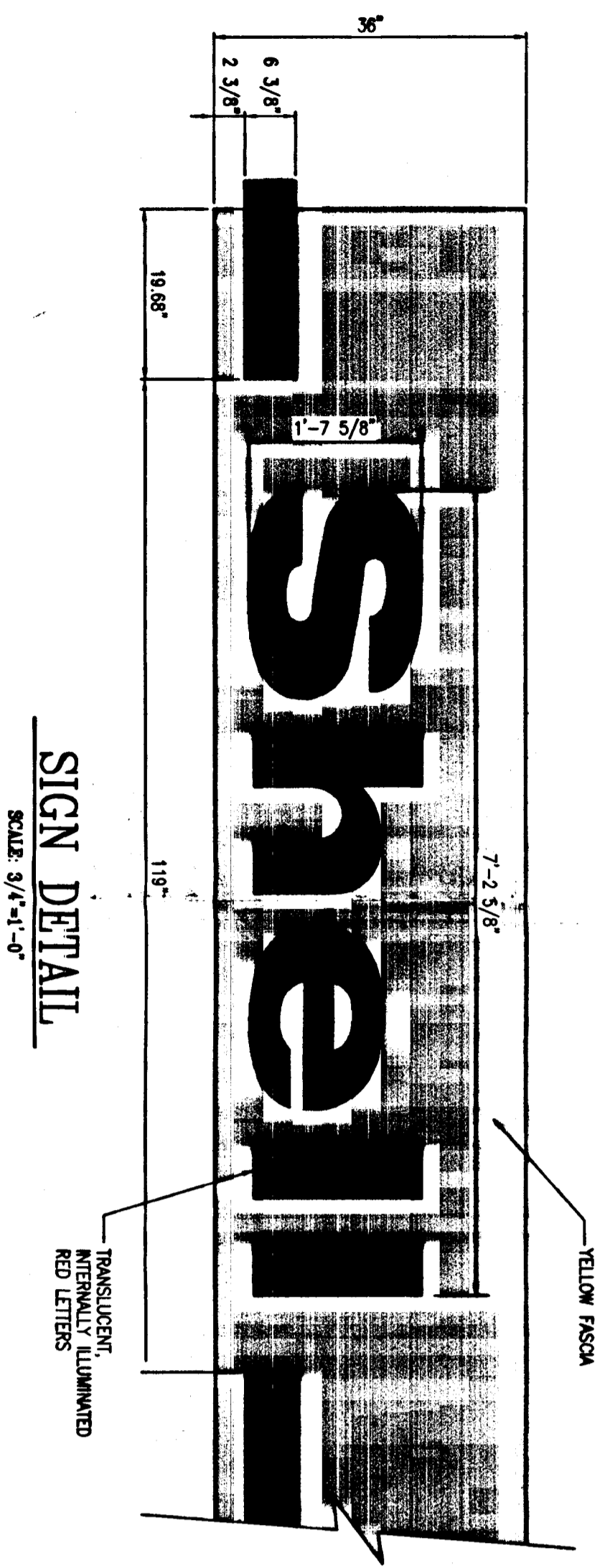
**NORTH ELEVATION**  
(NOT TO SCALE)



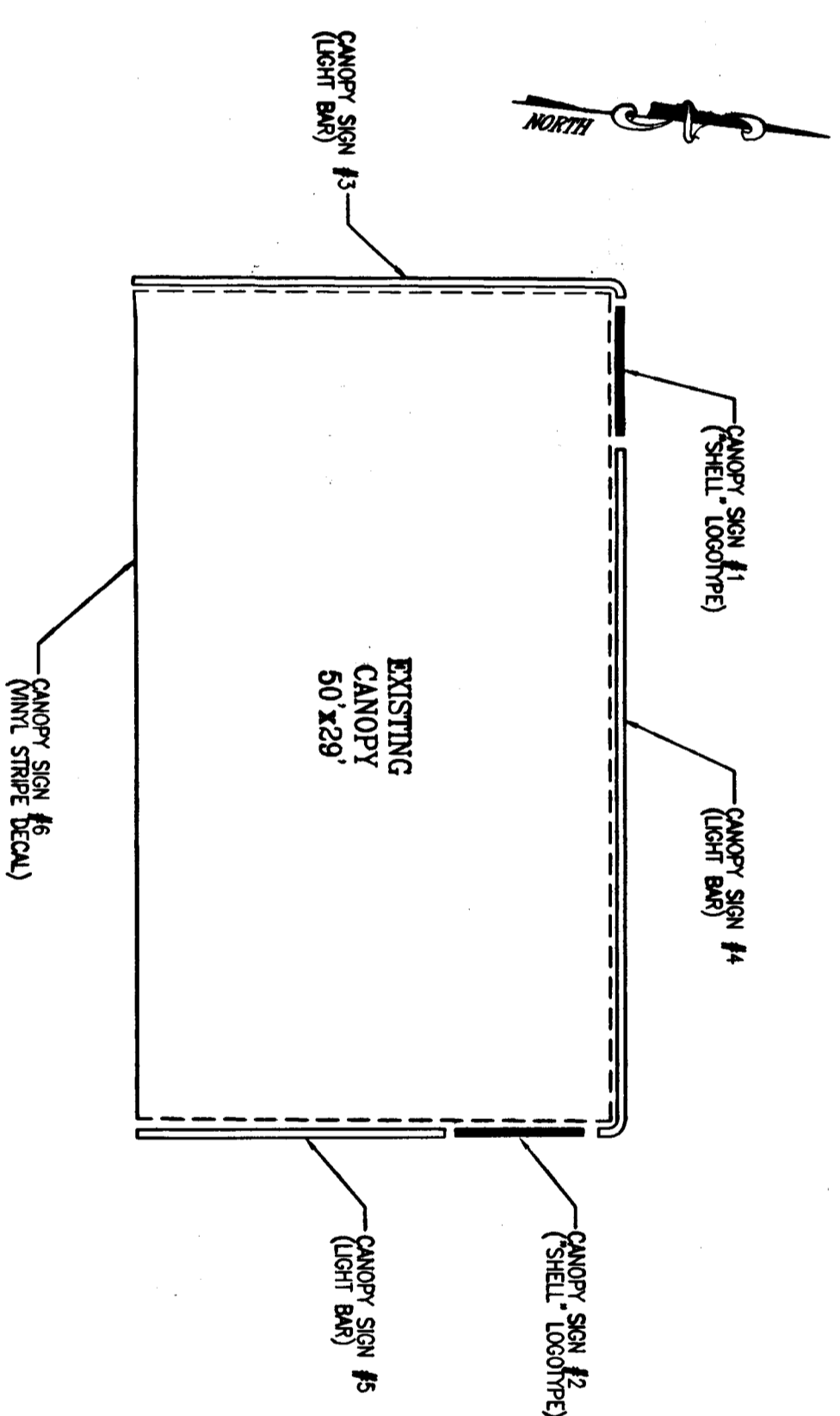
**WEST ELEVATION**  
(NOT TO SCALE)



**SOUTH ELEVATION**  
(NOT TO SCALE)



### SIGN DETAIL



### TYPICAL CANOPY FASCIA

# SIGNAGE CALCULATIONS:

SERVICE STATION / CANOPY ENTERPRISE SIGNAGE (R22R SECTION 450)

A. PERMITTED: SIX (6) SIGNS @ 26 S.F. EACH

B. SPECIAL HEAVYING:

PROPOSED:

1) CANOPY SIGN #1 = 12 S.F.  
2) CANOPY SIGN #2 = 12 S.F.

OR IN THE ALTERNATIVE:

C. VARIANCE CASE:

1) TO PERMIT A 26.5 S.F. CANOPY SIGN (CANOPY SIGN #6)  
IN LIEU OF THE REQUIRED 26 S.F.

PROPOSED:

1) CANOPY SIGN #1 = 12 S.F.  
2) CANOPY SIGN #2 = 12 S.F.  
3) CANOPY SIGN #3 = 0.53'x29' = 15 S.F.  
4) CANOPY SIGN #4 = 0.53'x40' = 21 S.F.  
5) CANOPY SIGN #5 = 0.53'x20' = 11 S.F.  
6) CANOPY SIGN #6 = 0.53'x60' = 26.5 S.F.

OR IN THE ALTERNATIVE:


2) TO PERMIT 47.4 S.F. OF CANOPY SIGNAGE IN LIEU OF  
THE REQUIRED 26 S.F.

|                 |        |          |                 |
|-----------------|--------|----------|-----------------|
| NORTH ELEVATION | 3'x60' | =        | 150 S.F.        |
| SOUTH ELEVATION | 3'x60' | =        | 150 S.F.        |
| EAST ELEVATION  | 3'x29' | =        | 87 S.F.         |
| WEST ELEVATION  | 3'x29' | =        | 87 S.F.         |
| <b>TOTAL</b>    |        | <b>=</b> | <b>474 S.F.</b> |

| REVISIONS   |      | DRAWING NO.                |
|-------------|------|----------------------------|
| REV#        | DATE |                            |
| DESCRIPTION |      |                            |
|             |      | DATE<br>03/19/02           |
|             |      | SCALE<br>(AS SHOWN)        |
|             |      | CHECKED BY<br>EBB          |
|             |      | SHEET 2 OF 2               |
|             |      | DRAWN BY<br>PNA-JOS MARRIS |
|             |      | KO<br>2/20/02.00           |

# NOT FOR CONSTRUCTION

**DEVELOPER / OWNER**  
**SMO REALTY, LLC**  
 P.O. BOX 2810  
 LA PLATA, MD 20646-2800



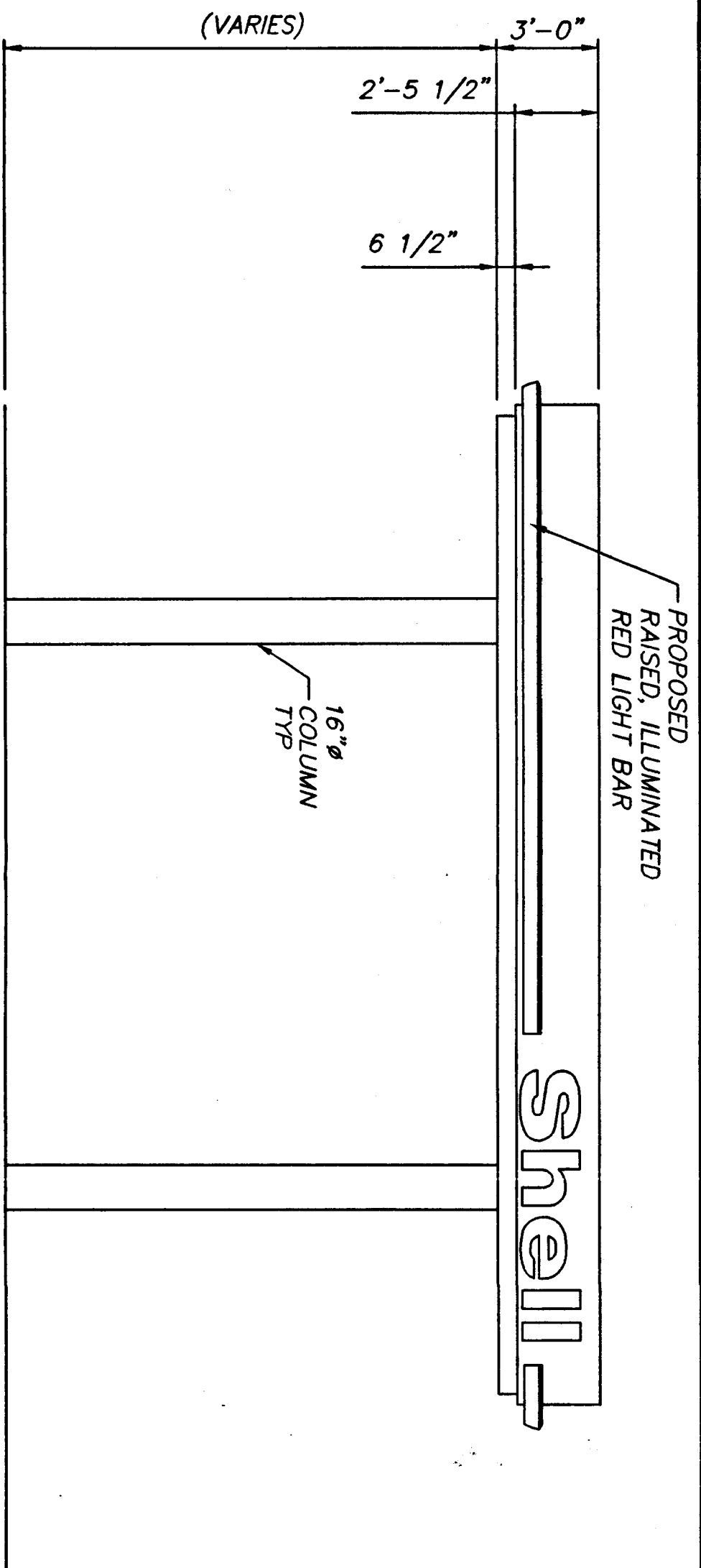
**FREDERICK WARD ASSOCIATES, INC.**  
 7125 Riverwood Drive  
 Columbia, Maryland 21046-2354  
 Phone: 410-720-8900 or 410-290-9550  
 Fax: 410-720-6226  
 Bel Air, Maryland  
 Warmton, Virginia

ELEVATIONS TO ACCOMPANY PETITIONS  
 FOR SPECIAL HEARING AND VARIANCE

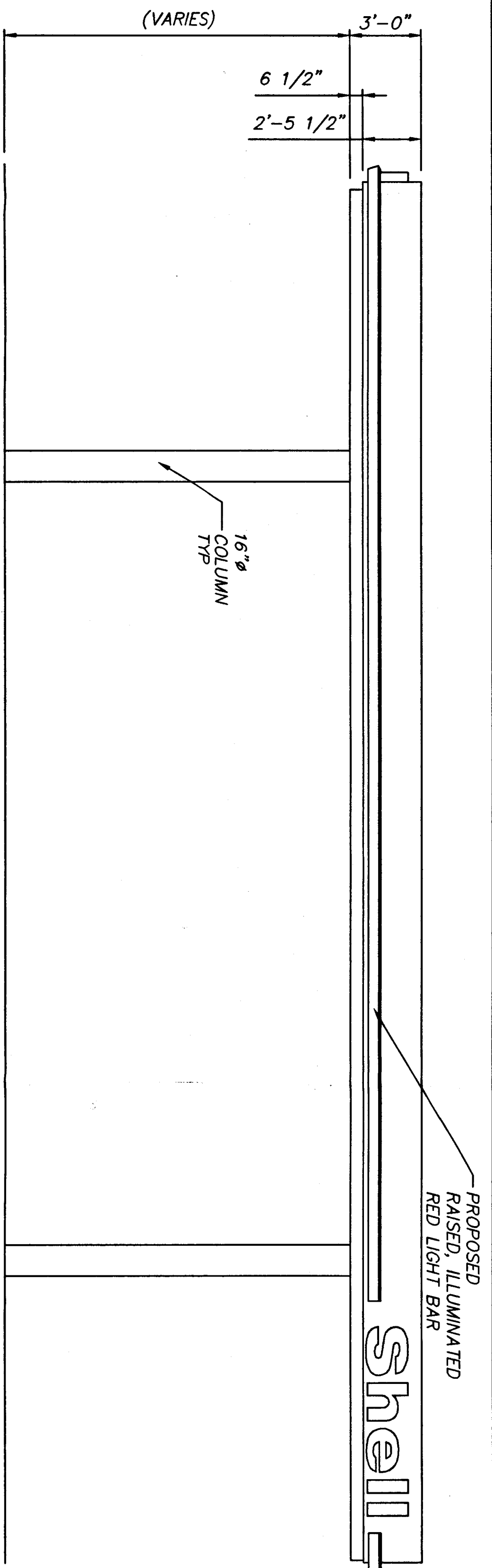
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201 NORTH POINT BLVD.  
 BALTIMORE, MARYLAND

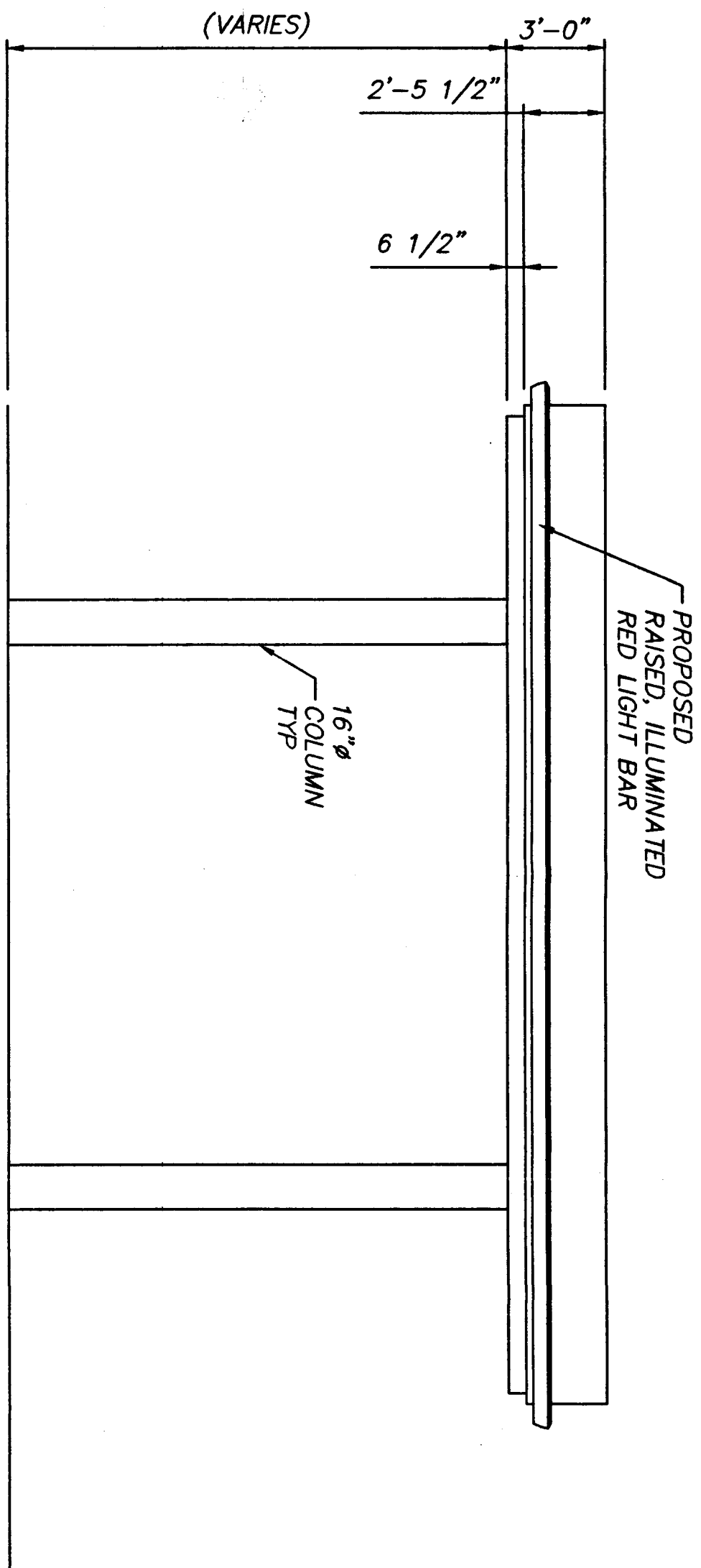
15TH ELECTION DISTRICT  
 7TH COUNCILMANIC DISTRICT



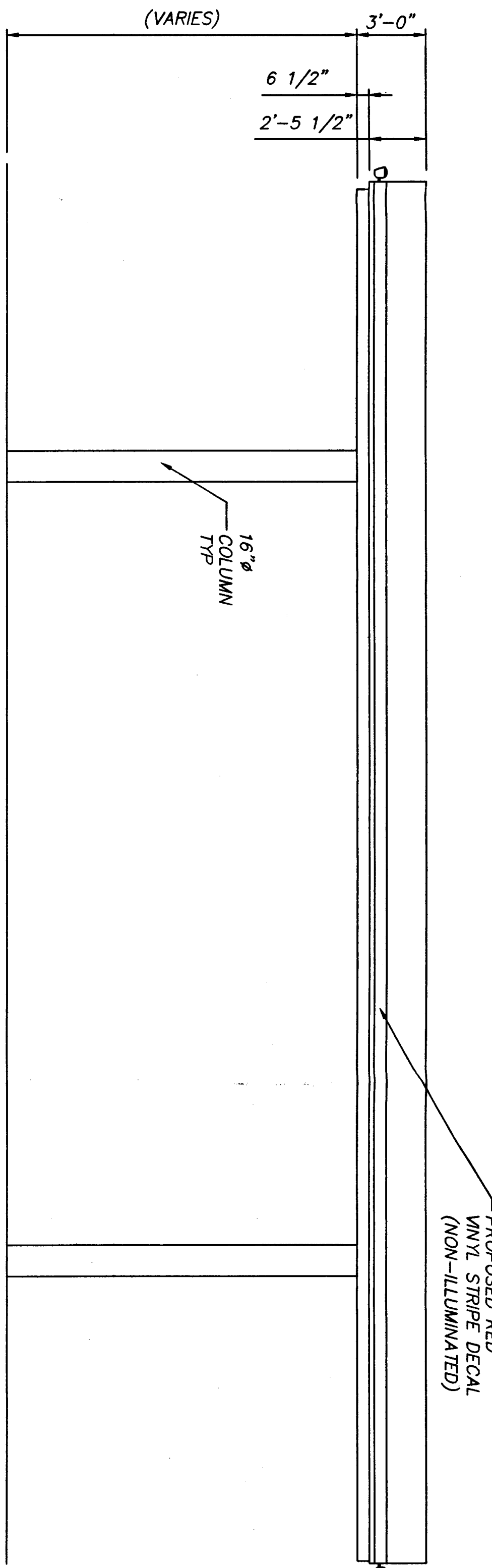
EAST ELEVATION  
(NOT TO SCALE)



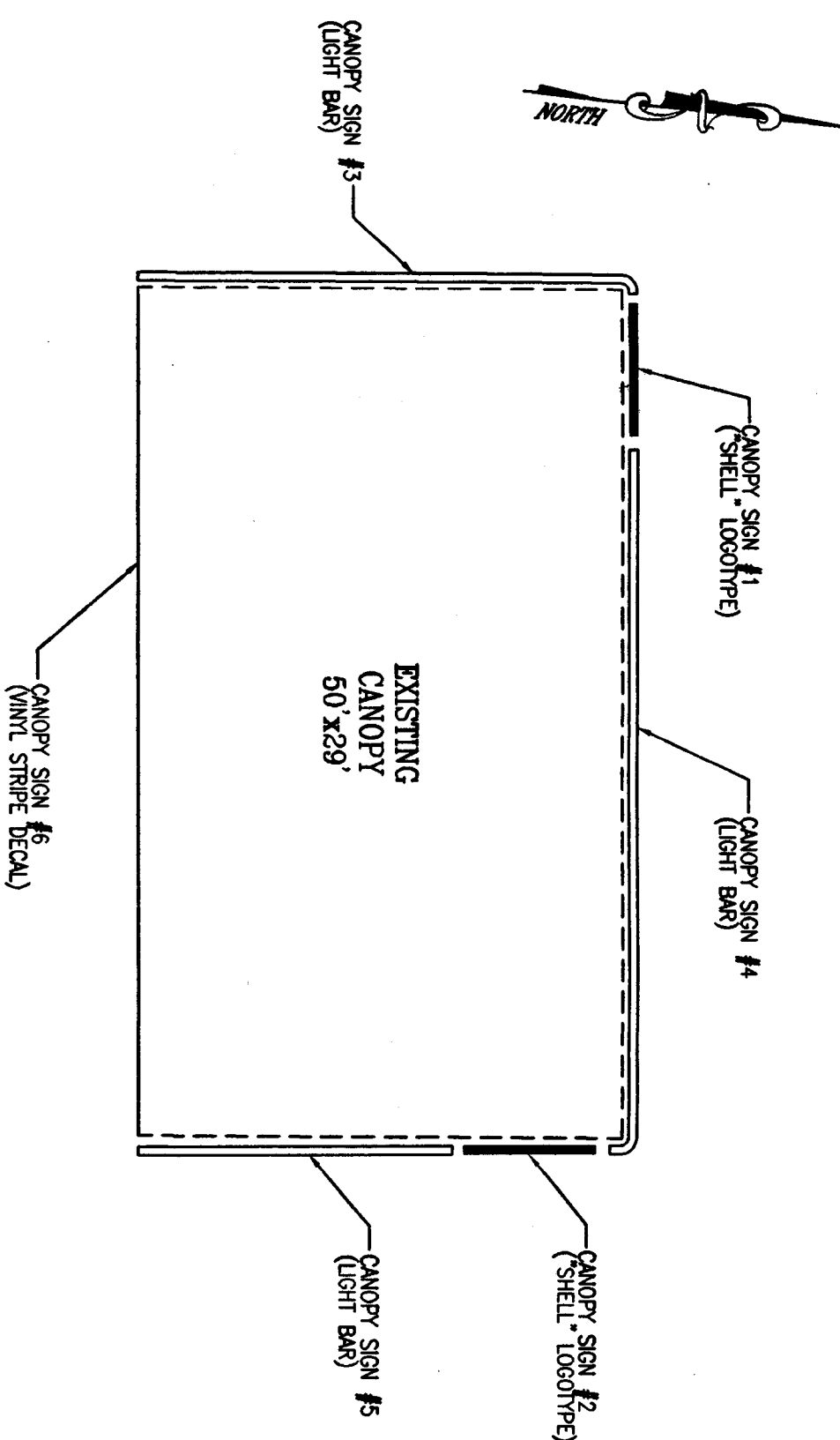
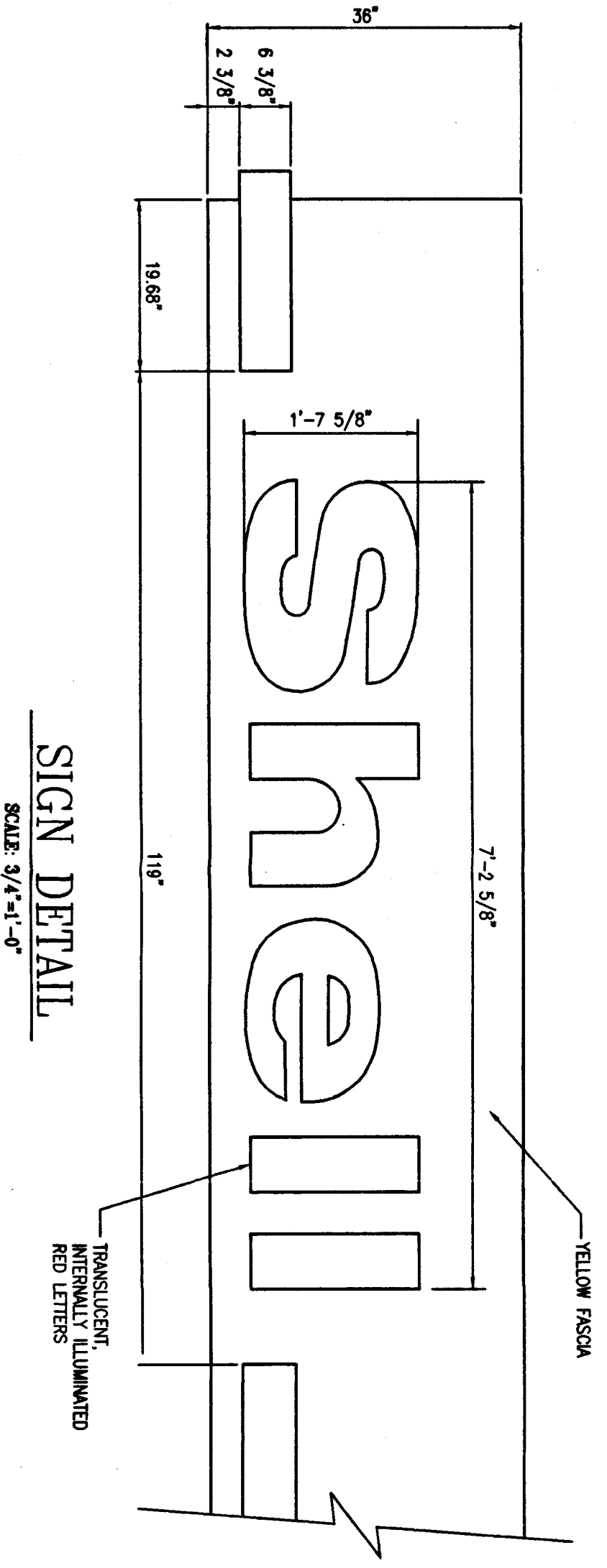
NORTH ELEVATION  
(NOT TO SCALE)



WEST ELEVATION  
(NOT TO SCALE)



SOUTH ELEVATION  
(NOT TO SCALE)



SIGNAGE CALCULATIONS:

SERVICE STATION / CANOPY ENTERPRISE SIGNAGE (BZCA SECTION 450)

A. PERMITTED: SIX (6) SIGNS @ 25 S.F. EACH

B. SPECIAL HEADING:

PROPOSED:

1) CANOPY SIGN #1 = 12 S.F.

2) CANOPY SIGN #2 = 12 S.F.

OR IN THE ALTERNATE:

C. VARIANCE CASE:

1) TO PERMIT A 26.5 S.F. CANOPY SIGN (CANOPY SIGN #6)

IN LIEU OF THE REQUIRED 25 S.F.

PROPOSED:

1) CANOPY SIGN #1 = 12 S.F.

2) CANOPY SIGN #2 = 12 S.F.

3) CANOPY SIGN #3 = 0.53 X 28' = 15 S.F.

4) CANOPY SIGN #4 = 0.53 X 40' = 21 S.F.

5) CANOPY SIGN #5 = 0.53 X 20' = 11 S.F.

6) CANOPY SIGN #6 = 0.53 X 50' = 26.5 S.F.

OR IN THE ALTERNATE:

2) TO PERMIT 47.4 S.F. OF CANOPY SIGNAGE IN LIEU OF

THE REQUIRED 25 S.F.

NORTH ELEVATION 3'-60" = 150 S.F.

SOUTH ELEVATION 3'-60" = 150 S.F.

EAST ELEVATION 3'-29' = 87 S.F.

WEST ELEVATION 3'-29' = 87 S.F.

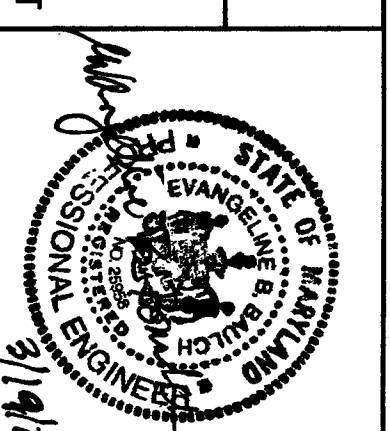
TOTAL = 47.4 S.F.

ELEVATIONS TO ACCOMPANY PETITIONS  
FOR SPECIAL HEARING AND VARIANCE

201 NORTH POINT BLVD.  
BALTIMORE, MARYLAND

15TH ELECTION DISTRICT

7TH CONGRESSIONAL DISTRICT



|          |            |                 |            |
|----------|------------|-----------------|------------|
| DATE     | 03/19/02   | DRAWING NO.     | VP02       |
| SCALE    | (AS SHOWN) | CHECKED BY      | EBB        |
| DRAWN BY | NO         | SHEET           | 2 OF 2     |
| NO       |            | FROM JOB NUMBER | 2004032.00 |

DEVELOPER/OWNER  
SMO REALTY, LLC  
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LA PLATA, MD 20646-2800

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Warrenton, Virginia

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